

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR & RD Department – Allegations of irregularities in execution of road work “Providing BT. Surface on road from Kothur to Kesampet via Pinjerla and Siddapur” in Mahaboobnagar District – Sri T. Kender Singh, the then Executive Engineer now working as Superintending Engineer, Panchayat Raj, Nalgonda - Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 – Article of Charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.659.

Dated:11.05.2010.

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ORDER:

It is proposed to hold an enquiry against Sri T. Kender Singh, the then Executive Engineer now working as Superintending Engineer, Panchayat Raj, Nalgonda, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges Annexure-I. A list of documents by which and a list of witnesses by whom, the articles of charges are proposed to be sustained are appended as Annexure-II and Annexure-III.

3. Sri T. Kender Singh, the then Executive Engineer now working as Superintending Engineer, Panchayat Raj, Nalgonda, is directed to submit within (10) days of the receipt of this order, a Written statement of defence. He is informed that an inquiry will be held only if the article of charge is not admitted. He should, therefore, specifically admit or deny the article of charge.

4. Sri T. Kender Singh, the then Executive Engineer now working as Superintending Engineer, Panchayat Raj, Nalgonda, is further informed that if he does not submit his written statement of defence within the stipulated period specified in para (3) above, further action will be processed based on the material available.

5. Attention of Sri T. Kender Singh, the then Executive Engineer now working as Superintending Engineer, Panchayat Raj, Nalgonda, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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6. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri T. Kender Singh, the then Executive Engineer now working as
Superintending Engineer, Panchayat Raj, Nalgonda through
Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Engineer-in-Chief, Panchayat Raj, Hyderabad.

(with a request to serve and return the acknowledged copy and W.S.D.)

Copy to:

The G.A.(V&E) Dept.

(Vigilance Report No.133(C.No.942/V&E/E2/2001, dt. 01.12.2001)

SF/SCs

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-I

(to G.O.Rt.No. , Panchayat Raj & Rural Development Department,
dt. 11.05.2010)

CHARGE:

That Sri T. Kender Singh, the then Executive Engineer now working as Superintending Engineer, Panchayat Raj, Nalgonda has committed irregularities in execution of road work "Providing BT. Surface on road from Kothur to Kesampet via Pinjerla and Siddapur", MP, Kothur, in Mahaboobnagar District, and due to his dereliction of duties an amount of Rs.25.82 lakhs excess payment made and an amount of Rs.64.23 lakhs wasteful expenditure incurred as the road will not last long, in contravening the A.P.C.S.(Conduct) Rules, 1964.

BASIS:

The V&E officials have conducted suo-motu enquiry on the work "Providing BT surface to the road from Kothur to Kesampet via Pinjerla and Siddapur, MP, Kothur, Mahaboobnagar District, which was sanctioned under NABARD (RIDF.IV) grant with an estimated cost of Rs.64.80 lakhs and made the following observations vide their Vigilance Report No.133 (942/V&E/E2/2001), dt. 01.12.2001.

The work was entrusted to Sri P. Bhaskar Reddy, Contractor on tender basis with 5.60% less than estimated cost and agreement was concluded on 07.09.1999. The agreement period is 9 months. The work is completed in all respects as on the date of inspection by the V&E i.e., on 27.08.2001.

Observations and findings of the V&E:

1. Shortfall in Metal Layers:

- a) Execution of substandard metalling work warranting rejection in many reaches and more than 20% shortfall in metal crust was observed in the following reaches and rejected portion cost is Rs.7,74,927/-.

KM 5/0-6/0 and 8/0-9/0	(40mm layer)
KM 6/0-7/0 and 9/0-10/0	(65mm layer)
KM 2/8-3/0	(75mm layer)

- b) Deficiency observed in the following reaches, which requires recovery from the contractor for deficit work at the rate of 1.5 times of agreement rate and amount is Rs.1,48,068/-

KM 0/0-1/0 and 7/0-8/0	(40mm layer)
KM 0/0-1/0 and 2/0-3/0	(65mm layer)
KM 3/0-4/0	(75mm layer)

2. Shortfall in BTSD + SC:

- a) 15 samples spreading in a stretch of 7.5 KMs i.e., from KM 0/5-3/5; 4/0-6/0; 6/5-7/0 and 8/0-10/0 are coming out with BT deficiency of more than 15% ranging from 18.6% to 68.99% which comes under rejection and rejected portion cost is Rs.15,99,881/- .

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- b) Reach from 0/0-0/5 is found with 13.5% deficiency and recovery is Rs.6,913/-.
- c) Reach from 7/5-8/0 is found with 4.75% deficiency and recovery is Rs.1,622/-.
- d) On account of substandard BT work, the total loss is worked out Rs.16,08,416/-

3. Picking charges paid without execution:

- As seen from the P.No.5 & 7 (Picking of old metal and gravel) and P.No.8 to 13 (consolidation of WBM surface) of MB No.A/990/18-99, it is noticed that the picking of old metal and consolidation of 65mm metal layer in the same reaches i.e., KM 0/0-2/8 & 4/3-7/0 were recorded and on the same day i.e., on 30.01.2000, the work was check measured by the DEE on the next day i.e., on 31.01.2000. The same case was observed in P.No.73 to 78 of MB No.978/98-99 for reach KM 7/0-10/0.
- Picking is recorded after consolidation is over and the item of picking can not be verified and check measured after completing consolidation. Hence it is inferred that the item of picking is factiously recorded and check measured deliberately though not executed with mollified intention.
- Due to above fraudulent measures adopted by the Field Engineers, the loss to the Govt. by way of making payment to the contractor for the lament of the work which is not executed is Rs.51,168/-.

4. Fabricating of records and table check measurements:

The quality control report dt. 15.10.99 shows that the widening of road work with available side earth is in progress on the date of inspection of quality control i.e., 12.10.99. But as per level filed book, the pre-levels of ground in the widening portion are check measured on 19.10.99. It is not possible to record the pre-levels of ground, when embankment work achieved substantial progress. Obviously, the filed engineers have fabricated the recording of levels without carrying out the actual verification. The Dy. Executive Engineer has simply given certificate without taking levels and check measurement was not done in a separate LF book and it is inferred that the level records are fabricated and table check measurement was done.

Therefore, due to the dereliction of duties and dawdle supervision of the above accused officer resulted into a very substandard quality of work in BTSD and metalling work is standing for complete rejection as per QC norms besides recovery causing a total loss to a tune of Rs.25.82 lakhs out of total estimated cost of Rs.64.23 lakhs which is highly objectionable level and reveals unholy alliance of contractor and engineers and thus his action is in violation of A.P.C.S.(Conduct) Rules, 1964.

Hence, the Charge.

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-II

(to G.O.Rt.No. , Panchayat Raj & Rural Development Department,
dated. 11.05.2010)

List of documents by which the article of charges is proposed to be sustained against Sri T. Kender Singh, the then Executive Engineer now working as Superintending Engineer, Panchayat Raj, Nalgonda.

G.A.(V&E) Vigilance Report No.133 (C.No.942/V&E/E2/2001), dt. 01.02.2001.

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-III

(to G.O.Rt.No. , Panchayat Raj & Rural Development Department,
dated.11.05.2010)

List of witnesses by whom the article of charges is proposed to be sustained against Sri T. Kender Singh, the then Executive Engineer now working as Superintending Engineer, Panchayat Raj, Nalgonda.

-Nil-

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER